

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH L. NASH,

Petitioner,

v.

DOUG WADDINGTON,

Respondent.

Case No. C04-5785FDB


ORDER ADOPTING REPORT AND
RECOMMENDATION

The Magistrate Judge recommends that this 28 U.S.C. § 2254 petition be dismissed as time barred. Petitioner responds presenting arguments that do not directly address the Report and Recommendation's reasoning and which have no merit. ACCORDINGLY,

IT IS ORDERED:

1. The Court adopts the Report and Recommendation;
2. The petition is **DISMISSED AS TIME BARRED**;
3. The clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. Karen L. Strombom.

DATED this 12th day of July, 2005.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE